

EXHIBIT 23

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY
BRANCH 1

STATE OF WISCONSIN,

PLAINTIFF,

JURY TRIAL

TRIAL - DAY 23

vs.

Case No. 05 CF 381

STEVEN A. AVERY,

DEFENDANT.

DATE: MARCH 14, 2007

BEFORE: Hon. Patrick L. Willis
Circuit Court Judge

APPEARANCES: KENNETH R. KRATZ
Special Prosecutor
On behalf of the State of Wisconsin.

THOMAS J. FALLON
Special Prosecutor
On behalf of the State of Wisconsin.

NORMAN A. GAHN
Special Prosecutor
On behalf of the State of Wisconsin.

DEAN A. STRANG
Attorney at Law
On behalf of the Defendant.

JEROME F. BUTING
Attorney at Law
On behalf of the Defendant.

STEVEN A. AVERY
Defendant
Appeared in person.

TRANSCRIPT OF PROCEEDINGS

Reported by Diane Tesheneck, RPR

Official Court Reporter

George Clooney

1 2:25 and see how you are doing.

2 (Recess taken.)

3 (Jury present.)

4 THE COURT: Mr. Buting, at this time you
5 may begin the defense closing.

6 ATTORNEY BUTING: Thank you, Judge. Good
7 afternoon, ladies and gentlemen. This is the first
8 time I have actually had a chance to talk to you. I
9 have sort of been talking at you as we walk by the
10 witnesses for 6, 5 weeks, whatever. And I'm
11 really -- I feel honored and privileged to do so,
12 just as I am honored and privileged to defend
13 Mr. Steven Avery here, in this very, very serious
14 case.

15 Let me make one thing very clear, right
16 here at the outset. We do not and have never
17 claimed that the police killed Teresa Halbach.
18 But in that respect they have that in common with
19 Steven Avery. However, the person or persons who
20 did kill Teresa, knew exactly who the police
21 would really want to blame for this crime.

22 And they were aided in that respect, by
23 widespread media publicity as early as Friday
24 morning, November 4th, the very morning after the
25 day she was first reported. Widespread publicity

1 that identified Mr. Steven Avery as one of the
2 last people known to have seen her. And because
3 of who he is, that drew even more media attention
4 than perhaps it might other wise have. And the
5 focus was on Mr. Avery, rather than one of the
6 other customers that she saw that day.

7 And this was the very same Steven Avery
8 who was suing the Manitowoc County and the
9 Sheriff's Department, with a lawsuit asking for a
10 whole lot of money, for the wrongful conviction
11 and all the years in prison that he spent, from a
12 1985 wrongful conviction.

13 I believe that when the Manitowoc
14 officers saw this, they very badly wanted to
15 believe that he was guilty and that this was
16 their way out. And that from that point forward,
17 that they had this investigative bias, focused on
18 Steven Avery, that was, then, skillfully
19 exploited by the real perpetrator of this crime.

20 Now, from the very beginning, Steven
21 Avery has proclaimed his innocence in this case.
22 He told that -- everybody that had a camera,
23 anybody who talked to him, that he was not
24 guilty, and that he was being framed. That the
25 police planted his blood.

1 case. The magic key, Exhibit A, in this theory
2 that the police planted evidence in this case.

3 Because if you believe that those police
4 officers put that key in his room, that they are
5 capable of planting that kind of evidence to try
6 and link him, then why not plant -- why couldn't
7 they have also planted blood. If they go to that
8 extent that they -- that they plant Teresa
9 Halbach's key in his bedroom to try and convict
10 him, then that's it, it's over, case over,
11 because you can't rely on anything else they have
12 given you.

13 Now, let's look at this key. First of
14 all, why would he bring the key in his house and
15 put it in his own bedroom. Why would you do
16 that? If you still got the vehicle, and you
17 still wanted somehow to use the key, to drive it
18 some place -- by the way, why would you want to
19 disconnect the battery, if you're still going to
20 use the key? What good does the key do if the
21 battery is disconnected? So that's a disconnect,
22 no pun intended here.

23 But why wouldn't you just leave the key
24 in the car? Why wouldn't you hide the key under
25 the -- neath the car, or somewhere where you know

1 STATE OF WISCONSIN)
2) ss
3 COUNTY OF MANITOWOC)
4

5 I, Diane Tesheneck, Official Court
6 Reporter for Circuit Court Branch 1 and the State
7 of Wisconsin, do hereby certify that I reported
8 the foregoing matter and that the foregoing
9 transcript has been carefully prepared by me with
10 my computerized stenographic notes as taken by me
11 in machine shorthand, and by computer-assisted
12 transcription thereafter transcribed, and that it
13 is a true and correct transcript of the
14 proceedings had in said matter to the best of my
15 knowledge and ability.

16 Dated this 22nd day of January, 2008.
17

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19 Diane Tesheneck, RPR
20 Official Court Reporter
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